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 and GREGORY FUZ

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

RITA MOHLEN and RICHARD SKRINDE,) Case No. C 03 3162 CW

Plaintiff,)

vs.)

CITY OF ALAMEDA, GREGORY McFANN,)
 and GREGORY FUZ)

Defendants.)

**STIPULATION AND ORDER DISMISSING
 THE FOURTH, FIFTH AND SIXTH
 CAUSES OF ACTION FROM THE
 SECOND AMENDED COMPLAINT WITH
 PREJUDICE**

Plaintiffs, acting in *propria persona*, and defendants City of Alameda, et al. acting by and through its legal counsel, Gregory M. Fox, having met and conferred regarding the allegations and causes of action in plaintiffs' Second Amended Complaint, hereby agree and stipulate that plaintiffs will not pursue their claims related to their allegation that defendants failed to process June, 2003 permit appeal (Fourth Claim for Relief); will not pursue their claims related to denial of due process in collection of fines and penalty fees (Fifth Claim for Relief); and will not pursue their claims related

1 to seeking an injunction against the City to enjoin the City's continuing enforcement of building
2 codes and planning ordinances (Sixth Claim for Relief). The parties therefore request an Order
3 dismissing the Fourth, Fifth and Sixth Causes of Action of the Second Amended Complaint with
4 prejudice. Each side to bear their own fees and costs.

5 So Stipulated.

6
7 Dated: May 24, 2007

8 /s/
RITA MOHLEN
Plaintiff

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10 Dated: May 24, 2007

11 /s/
RICHARD SKRINDE
Plaintiff

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14
15 Dated: May 24, 2007

BERTRAND, FOX, & ELLIOT

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17 /s/
Gregory M. Fox
Attorney for Defendants
CITY OF ALAMEDA, GREGORY
18 McFANN and GREGORY FUZ
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21 Good Cause existing, the stipulation is so ordered, and the Fourth, Fifth and Sixth Causes of
22 Action of plaintiffs' Second Amended Complaint are dismissed with prejudice, each side to bear
23 their own fees and costs.

24 Dated: May 30, 2007



Honorable Claudia Wilkin
Judge of the U.S. District Court

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